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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,238	03/15/2001	Hideo Ando	204442US-2S	6628

22850 7590 02/25/2005

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/808,238

**Applicant(s)**

ANDO ET AL.

**Examiner**

Vincent F. Boccio

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Pre Amendment of 3/15/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 23-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-25 and 27 is/are rejected.
- 7) ☒ Claim(s) 26 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/662,584.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/15/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 23-25, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Chauvel et al. (US 6,369,855).

Regarding claims 23-24, Chauvel meets the limitations associated with a bit-stream data processing apparatus coupled to at least one recording unit and one or more peripheral devices the apparatus comprising:

- receiving means for receiving an encoded bit stream (Fig. 1 A, Tuner 20, selects a program for recording or viewing to be processed by 200, reference Fig. 1 B "Transport Packet Parser SCR/PCR", processes the program from the tuner, for recording or viewing);
- decoding means ("MPEG DECODING, Video & Audio decoders, 250", out to respective devices, such as monitor/display and speaker/speakers), for decoding the received, to provide one or more decoded signals supplied to one or more peripheral devices (monitor, speaker, for video and audio);
- sending and receiving means, to the recorder and from the recorder ("1394 interface 290", which is bi-directional type interface, having a recorder connected thereto, references cols. 17, 18, 19, 20, recording mode, 1394, CPU & traffic controller etc.....);

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- routing means with associated controlling means element/elements and selector, for selectively routing in various paths depending on encrypted, clean or not, the received (reference Figs. 2, 12, 16 A, 16 M, 18 B etc.....), between (Fig. 1 B, busses, traffic controller, CPU etc.....), the receiving means, the recording means, decoding means;
- wherein the one of the received encoded bit-stream, recorded encoded, supplied to the decoding means, which is under control of the routing means (signals can be recorded, reproduced, thru 1394 and the recording device connected thru the 1394 bus, with respect to the various busses, signals can be routed from the parser 210, which act like a tuner for MPEG encoded data, selects at least one program either for viewing to 310, to 250 decoding to reception devices, or to the recorder thru 1394, reproduced therefrom to 310 to decoding elements 250, thru the routing means).

Regarding claim 25, Chauvel based on recording an MPEG encoded bit, stream, inherently reads on the claim language, wherein, there exists, at least

a first reference & second reference clocks, used in both operations, when receiving and viewing, or reproducing after recording the received, wherein all skilled in the art would clearly realize, that the two reference clocks are for synchronization of successive images and also the same for another type of stream data such as audio, also any other stream would also include the same (such as sub-picture or any other streams, that are require or desired to be in synchronization with the video and/or audio and/or other, streams) wherein both the audio and video have their own PTS time values (and also DTS s, the time to provide the data to the decoder), which are compared with the decoder clock to trigger audio and video in a synchronous fashion (reference Fig. 1 B, "PCR/SCR" with respect to the PTS, time stamps, which trigger outputting from the decoding elements (audio and video decoders, at the proper time, reference, col. 10, line 60 to col. 11, line 14, "PTS, SCR, decoder system clock"), as is conventional to

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the MPEG standard, as is well known and understood by those skilled in the art.

Claim 27 is considered deemed analyzed and discussed with respect to the claims above.

***Allowable Subject Matter***

1. Claims 26, 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record fails to teach, based on the combination of: (claim 25 & 26) or (claims 27 & 28),

- means for/method step of, generating a time relation table relating the first and second reference clocks, and
- means for/method step of, recording the time relation table in the management area of the medium,

the claims have been read in light of the specification, with reference to Fig. 20, having a time relation table having a two time stamps in a table, which respect to a received and recorded bit stream, wherein the table is recorded to the medium.

**Contact Fax Information**

Any response to this action should be mailed to:  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communication intended for entry)

or:

(703) 308-5359, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


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Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Thursday, 8:00 AM to 5:00 PM Vincent F. Boccio (703) 306-3022.

Any inquiry of a general nature or relating to the status of this application should be directed to Customer Service (703) 306-0377.

Primary Examiner, Boccio, Vincent  
2/19/05

  
VINCENT BOCCIO  
PRIMARY EXAMINER